



Application No. 09/993,348

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CERTIFICATE OF MAILING

I hereby certify that this RESPONSE is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 29th day of December, 2003.

Typed or Printed name of person signing this certificate:

Janet L. Norris

Signed: Janet L. Norris

PATENT

Fee purpose only

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Examiner: Deborah WARE
GREWAL)	
Application No.: 09/993,348)	Art Unit: 1651
Filed: November 19, 2001)	
For: DIRECT APPLICATION OF)	Docket No.: 22727/04028
DESICCATED ENTOMOPATHOGENIC)	
NEMATODES FOR BIOLOGICAL PEST)	
CONTROL)	

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE

Dear Sir:

This paper is responsive to the Office Action mailed September 29, 2003, which set a three-month shortened statutory period for response. This Response is timely filed on or before December 29, 2003, and no fee is required for its consideration.

Please amend the application as follows:

Amendments to the Claims begin on page: 2.

Remarks begin on page: 7.

FEE VALUE ACCOUNTABILITY	
DEPOSIT ACCOUNT NO.	
03	0172
1	43 ⁰⁰
2	99 ⁰⁰

survive at 70% relative humidity at 25°C for 24 hours. Absent the claimed elements, there is no reasonable expectation of success in the combination of teachings.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claimed invention is not obvious in view of the cited art. Applicant respectfully requests the reconsideration and re-examination of the pending claims. If any action can be taken to expedite issuance of a Notice of Allowance, or to otherwise reduce issues in this case, the Office is invited to contact the undersigned attorney.

Respectfully submitted,

Date: Dec. 29, 2003

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within the meaning of applicable law. The "prior art" status of any information is a matter to be resolved during prosecution.

CERTIFICATION

- ☒ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.
- ☒ This information disclosure statement is being filed within three months of the filing of the within application and/or prior to a first Office Action on the merits being received.

PETITION

- ☒ Applicants hereby request consideration of the attached information.

DEPOSIT ACCOUNT

- ☐ A check is attached in the amount of \$ _____ required under 37 § 1.17(p).
- ☒ It is not believed that any fee is required relating to the filing of this information disclosure statement. If this is not the case, the patent office is hereby authorized to charge any related fee to Deposit Account No. 03-0172.

Respectfully submitted,

Date:

July 29, 2002

By:

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